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OFFICE OF PETITIONS

In re Patent No. 5,509,359 :
Issue Date: April 23, 1996 :
Application No. 08/304,831 : **DECISION GRANTING PETITION**
Filed: September 13, 1994 : **UNDER 37 CFR 1.378(c)**
Attorney Docket No. 113.013USX1 :

This is a decision on the petition under 37 CFR 1.378(c), filed April 25, 2005, to accept the unintentionally delayed payment of a maintenance fee for the above-identified patent.

The petition is **GRANTED**.


The patent issued on April 23, 1996. The grace period for paying the second maintenance fee expired at midnight on April 23, 2004. Therefore, since this petition was filed within twenty-four months after the six-month grace period provided in 37 CFR 1.362(e), the petition was timely filed under the provisions of 37 CFR 1.378(c).

Accordingly, the maintenance fee in this case is hereby accepted, and the above-identified patent is reinstated as of the mail date of this decision.

The record reflects that a petition fee of \$1500 for a petition to revive based on 37 CFR 1.137(b) was charged to U.S. Serial No. 90/005,372. If this fee was charged in error, petitioner may request a refund of this fee by writing to the Office of Finance, Refund Section. A copy of this decision should accompany petitioner's request.

Telephone inquiries concerning this decision should be directed to Denise Pothier at (571) 272-4787.

The patent file is being forwarded to Files Repository.


Frances Hicks
Petitions Examiner
Office of Petitions